

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

STATE OF ARIZONA ET AL

CASE NO. 6:22-CV-01130

VERSUS

JUDGE DAVID C. JOSEPH

MERRICK GARLAND ET AL

MAGISTRATE JUDGE CAROL B.
WHITEHURST

MINUTES OF COURT:
Motions Hearing/Status Conference

Date:	May 24, 2023	Presiding: Judge David C. Joseph
Court Opened:	10:05 AM	Courtroom Deputy: Paula Jordan
Court Adjourned:	11:35 AM	Court Reporter: Cathleen Marquardt
Statistical Time:	1:30	Courtroom: Courtroom 1

APPEARANCES

Joseph Scott St John	For	All Plaintiffs
Elissa Fudim	For	U.S. Dept of Justice
Erin Ryan	For	U.S. Dept of Justice

PROCEEDINGS

Case called for hearing regarding [144] Motion to Compel by all Plaintiffs and [157] Motion to Compel by all Defendants.

After considering oral argument, memorandum submitted and the applicable law, the Court ruled as follows regarding **[144] Motion to Compel by all Plaintiffs**:

Request for Production Nos. 1, 2 and 3 are GRANTED.

Request for Production No.4 is GRANTED IN PART AND DENIED IN PART. The Government is required to identify the number of individuals previously in ICE custody with pending asylum claims who have been paroled or otherwise released from ICE detention facilities in Louisiana or Florida.

Request for Production Nos. 5 and No. 6 are GRANTED, in part, as to identifying information of individuals granted asylum under the IFR residing in Louisiana or Florida. The Court ordered the parties jointly file a Protective Order within 14 days, which shall: (i) limit both the use and dissemination of the personal identifiable information (PII); and (ii) limit the PII produced to include only names, date of births, addresses, and alien "A" numbers.

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Request for Production No. 7 is GRANTED. The Court ordered defendants to supplement training material production as discussed on the record.

The Court DEFERRED RULING on Request for Production No. 11 pending the parties conferring in accordance with the direction given by the Court with respect to the scope of discovery.

The Court ruled as follows regarding **[157] Motion to Compel by all Defendants:**

In general, any relevant, non-privileged documents in the possession of States pertaining to their claimed bases of Article III standing must be produced.

Request for Production Nos. 8, 9, 13-15, are GRANTED. Responsive documents must be produced by the States after asylum applicant/ asylee information is produced by the Defendants.

Request for Production Nos. 18, 21, 22, 25, 26, 27, 28, 31- 36 are GRANTED. States must produce any responsive, non-privileged documents.

Request for Production No. 20 is DENIED.

Request for Production No. 23 is DENIED.

Request for Production No. 29 is GRANTED in part, DENIED, in part. The Court orders the Plaintiff States to produce any responsive, non-privileged documents from state agencies relied upon by Plaintiff States to show Article III standing.

See transcript for complete colloquy.

A Status Conference was held in chambers to discuss extending jurisdictional discovery. After discussion, it was agreed and ordered by the Court to extend the discovery period. Defendants shall file by **September 1, 2023**, any Rule 12 motion challenging the Article III standing of Plaintiff States. Failure to file a motion challenging standing will constitute waiver of defendants' right to later raise that issue.

The parties will submit a proposed joint scheduling order within 14 days outlining proposed deadlines for the extended period of jurisdictional discovery.

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COMMENTS:

Given the Court's ruling on their Motion to Compel, the Plaintiff States withdrew the subpoena requests at issue in [114] Motion to Quash Subpoena to Rozas and Associates Law Firm, LLC by Rozas and Associates Law Firm, LLC and [122] Motion to Quash by Home is Here NOLA, Immigration Services and Legal Advocacy, Louisiana Advocates for Immigrants in Detention. The Court therefore **DENIED [114] and [122] as MOOT.**